

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	15-06013-01-CR-SJ-BP
RUSSELL WAYNE HELTON,	)	
	)	
Defendant.	)	

REPORT AND RECOMMENDATION

On March 28, 2016, I ordered Defendant to undergo a competency evaluation (Doc. No. 46). Defendant was examined by Jessica Micono, Psy.D., who prepared a report dated May 23, 2016 (Doc. No. 51).

A competency hearing was held on June 20, 2016. The government was represented by Assistant United States Attorney Bruce Rhoades. Defendant in person with appointed attorney Steve Moss. The parties stipulated to the contents and findings of Dr. Micono's report (Tr. at 2). No additional evidence was presented. The parties waived the fourteen-day objection period to the Report and Recommendation (Tr. at 2-3). Based upon the uncontroverted evidence, I find that Defendant is competent to proceed. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
June 27, 2016